

The Corporation of the Township of North Frontenac

By-law #20-21

Being a By-law to Establish a Site Plan Control By-law within the Township of North Frontenac and Repeal By-law #08-17

Whereas Section 41 of the Planning act permits the Council of a municipality, where in an approved Official Plan, an area is shown or described as a proposed site plan control area, to designate such area as a site plan control area;

And Whereas such by-law may also define any class or classes of development that may be undertaken without the approval of plans and drawings otherwise required;

And Whereas Council deems it desirable to designate all of the lands within the limits of the Township of North Frontenac as a site plan control area and exempt from approval the classes of development as provided herein;

Now Therefore the Council of the Corporation of the Township of North Frontenac enacts as follows:

1. This By-law may be cited as the “Township of North Frontenac Site Plan Control By-law”.
2. All lands located within the entire geographical limits of the Township of North Frontenac are hereby designated as a “site plan control area” pursuant to Section 41(3) of the Planning Act.

3. Definitions

For the purpose of this By-law:

“Agricultural Use” means the use of land, building(s) or structure(s) for:

- a) The growing of crops, including all related activities such as soil preparation, manure or fertilizer storage and application, planting, spraying, grain drying, irrigating, harvesting and also including the storage and sale of the crops (excludes maple syrup);
- b) Animal husbandry including the raising, boarding, and keeping of all forms of livestock, and all related activities such as breeding, training, feeding, manure storage and grazing;
- c) The production of animal products such as milk, eggs, wool, fur, or honey and related activities such as the collection, storage and sale of the products;
- d) The use and storage of all forms of equipment or machinery needed to accomplish the foregoing activities; and
- e) Shall be deemed to include activities which are normal farm practices as may be determined under the Farming and Food Production Act.

“Conservation Use” means the use of lands which are intended to remain open in character with the priority use given to preservation of their ecological uniqueness, wildlife habitat and their natural features or ecological functions.

“Development” means the same as defined in the Section 41(1) of the Planning Act.

“Farm Produce Outlet” means a use accessory to a main use or an agricultural use which consists of the retail sale of agricultural products produced locally or on the farm, or the incidental sale of products produced by a home-based business and where such outlet is located on the same property as the main use. This definition also includes roadside stand.

“Highway” means a common and public highway and includes any bridge, trestle, viaduct or other structure forming part of the highway and, except as otherwise provided, includes a portion of a highway.

“Live/Work Unit” means a small-scale development which is specifically designed to include both commercial/business floor space and residential space for the principal residence of the business operator. Live/work units may be established through the conversion of an existing space or through new construction.

“Maple Syrup Processing and Sales Establishment” means land, buildings and/or structures used to collect, manufacture, and/or store maple syrup products produced on the property where such use is established. This shall also include the retail sales of maple syrup products but shall not include a restaurant.

“Natural Heritage Features and Areas” means features and areas, including significant wetlands, fish habitat, significant woodlands, significant valleylands, significant habitat of endangered and threatened species; significant wildlife habitat and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

“Public Service Use” means a building, structure or lot used for public services by any public authority, any telephone, communications or railway company, any company supplying natural gas, Ontario Power Generation, Hydro One Networks Inc., any Conservation Authority, Public Utilities Company or similarly recognized agencies. This definition shall include an ambulance facility, fire station, institutional service use, police station, public boat launch and municipal office.

“Recreational Vehicle” means any contrivance so constructed that it is suitable for being attached to a motor vehicle for the purposes of being drawn or is

propelled by the motor vehicle or self-propelled. A Recreational Vehicle includes a travel trailer, motor home, or camper but does not include a Park Model Trailer. A Recreational Vehicle is intended for short term accommodation only and shall not be considered a dwelling as defined herein and shall comply with CAN/CSA Standard Z240 or with American Standard NFPA 1192.

“Refreshment Vehicle” any vehicle, trailer, cart or other structure not placed on a permanent foundation which is equipped for cartage, storage and the preparation of food stuffs, beverages, confections and such items are offered directly for consumption to the general public, and includes a chip wagon, a mobile canteen and other Refreshment Vehicles.

4. Per Section 6.9.10 of the Official Plan the provisions of this By-law shall apply to the following classes of land or land uses:
 - a) Any industrial, commercial or public service use;
 - b) Any multiple residential use consisting of six (6) or more dwelling units;
 - c) Any lands abutting a lake, water body, or natural heritage features and areas;
 - d) All land uses within the Environmental Protection Area;
 - e) All conversions and redevelopment within any of the above categories.
5. The Municipality shall require that no person shall undertake any development in the area designated as a site plan control area by this By-law unless the Council of the Township of North Frontenac, or where referral has been made, the Local Planning Appeal Board (LPAT), has approved the plans and drawings for such development in accordance with Section 41 of the Planning Act, and the Official Plan of the Township of North Frontenac, and in addition, as may be required, has entered into one or more agreements with the municipality dealing with and ensuring the provision of any or all facilities, works or matters and the maintenance thereof, required as a condition to the approval of the plans and drawings.
6. Development may be undertaken without the approval of the aforementioned plans and drawings and the entering into agreements for the following classes of development or land uses as defined in the Zoning By-law passed under Section 34 of the Planning Act:
 - a) A single detached dwelling, seasonal dwelling, semi-detached dwelling, duplex dwelling, a mobile home, an accessory use, shoreline structure or garden suite on a lot abutting a lake, water body or natural heritage feature and area;
 - b) An agricultural use, including farm buildings and farm produce outlets;
 - c) A maple syrup processing and sales establishment;
 - d) A temporary building for construction purposes;
 - e) A cemetery;
 - f) A forestry or conservation use;

- g) A recreational vehicle other than a recreational vehicle in a recreational vehicle park;
 - h) A wayside pit or wayside quarry;
 - i) A portable sawmill;
 - j) A refreshment vehicle;
 - k) Live/Work Units within an Existing Structure, provided there is no change in area, volume or height; and shall meet the provisions within the Township's Zoning By-law. However, a site sketch will be required including the following:
 - The overall area and lot lines of the property and the adjacent municipal road;
 - The location and floor area of all buildings (this should include the setback measurements of buildings from lot lines);
 - The location of the driveway and parking areas, the number and location of parking spaces for residents versus customers, and an indication if the surface areas are paved, gravel, grass, etc.;
 - The location of the accesses to the residence and the business; and
 - The location of any signage on the property, in accordance with any application Township By-law(s).
7. Notwithstanding Paragraph 6, no development may be undertaken without approval of plans and drawings required under subsection (4) or (5) of Section 41 of the Planning Act, where:
- a) Site Plan Control is imposed as a condition of a Zoning Amendment by Council;
 - b) Site Plan Control is imposed as a condition of approval by the Committee of Adjustment; or
 - c) Site Plan Control is imposed by the Ontario Municipal Board.
8. Issuance of Building Permits
- a) Notwithstanding any provisions of the Building By-Law or any other By-Law of the Township to the contrary, no building permit shall be issued until the plans and drawings and any such agreements required by the Municipality for such development have been approved by Council, its delegate, or where a referral has been made to the Local Planning Appeals Tribunal or so ordered by a Court of competent jurisdiction;
 - b) Nothing in this By-Law shall prevent development on any lands subject to this By-Law where such development is proceeding in accordance with a valid building permit which was issued by the Corporation prior to the passing of this By-Law.
9. As a condition of approval of the plans and drawings for the development or redevelopment of land, the Township may require the dedication of land for:
- a) park or other recreational purposes, or the payment of money in lieu of land in an amount not exceeding two percent for commercial or industrial purposes and five percent for all other purposes.

b) the widening of any highway.

10. Registration of Agreements

Any Agreement or Amendment thereto entered into in accordance with the By-law shall be registered against the title of the land to which it applies.

11. Calculation, Submission and Release of Securities

Unless otherwise stated in this By-law, Calculation, Submission and Release of Securities shall be in accordance with the Township's Site Plan Securities By-law.

12. Validity

If any section, clause or provision of this By-Law is, for any reason, declared by a Court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-Law as a whole or any part hereof other than the section, clause or provision so declared to be invalid. It is hereby declared to be the intention that the remaining sections, clauses provisions of this By-Law shall remain in full force and effect until repealed, notwithstanding that one or more provisions hereof shall have been declared to be invalid.

13. Any person who contravenes this By-law shall be guilty of an offence and upon conviction shall be liable to a fine as prescribed under the Planning Act.

14. That By-law #08-17 being Site Plan Control By-law, is hereby repealed.

15. This By-law shall come into force and take effect on the final passing thereof.

Read a first and second time this 16th day of April, 2021.

Read a third time and finally passed this 16th day of April, 2021.

Mayor

Clerk